

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

THE TRAVELERS INDEMNITY)
COMPANY, on its own behalf and as)
Assignee of Surry County, North Carolina,)

Plaintiff,)

v.)

AMERICAN ALTERNATIVE)
INSURANCE CORPORATION,)

Defendant.)

1:22CV404

JUDGMENT

For the reasons outlined in the Memorandum Opinion and Order filed on the morning of March 13, 2024, in this action,

IT IS HEREBY ORDERED, ADJUDGED AND DECLARED that AAIC's Motion for Summary Judgment, (ECF No. 41), is **DENIED IN PART AND GRANTED IN PART**. The Court denies the motion as to the AAIC General Liability Policy's lack of coverage of the Underlying Lawsuits and grants the motion as to the AAIC Excess Policy's lack of coverage of the Underlying Lawsuits.

IT IS FURTHER ORDERED, ADJUDGED AND DECLARED that Travelers' Motion for Summary Judgment, (ECF No. 43), is **GRANTED IN PART AND DENIED IN PART**. The Court grants the motion as to the AAIC General Liability Policy's coverage of the Underlying Lawsuits and denies the motion as to the AAIC Excess Policy's coverage of the Underlying Lawsuits.

IT IS FURTHER ORDERED, ADJUDGED AND DECLARED that AAIC owes to Travelers a contribution of \$1,000,000 paid out of the AAIC general liability policy.

IT IS FURTHER ORDERED, ADJUDGED AND DECLARED that AAIC's Objection and Motion to Disregard, (ECF No. 55), is **DENIED AS MOOT**.

This, the 13th day of March 2024.

/s/ Loretta C. Biggs

United States District Judge